



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,625	10/28/2003	Yasuhiro Oshima	ITECP004	5609
25920 7590 12/09/2008 MARTINE PENILLA & GENCARELLA, LLP 710 LAKEWAY DRIVE SUITE 200 SUNNYVALE, CA 94085				
EXAMINER				
ANDERSON, JOHN A				
ART UNIT		PAPER NUMBER		
3696				
MAIL DATE		DELIVERY MODE		
12/09/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/696,625

Applicant(s)

OSHIMA ET AL.

Examiner

JOHN A. ANDERSON

Art Unit

3696

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-10; 12-19; 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-10; 12-19; 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 01/31/2005; 11/12/2008
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant has amended claims 2 and 12. Claims 2-10, 12-19 and 21 are pending in this application.

Information Disclosure Statement

2. The information disclosure statement dated 01/31/2005 has been considered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 2 -10, 12-19, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Elmore K et al (PGPUB US 2006/0059107 A1).
5. As regards claims 2 and 12, Elmore discloses an electronic quotation system that makes a quote of a product specified by a client, said electronic quotation system comprising:
 - a product information storage module that stores product information of the specified product, which is updated appropriately;[0529]
 - a product quote preparation module that prepares a product quote, based on the updated product information of the specified product, in response to receipt of a quotation request of the specified product;[0198]
 - a valid period setting module that sets a valid period of the product quote; [0312]
 - a product quote transmission module that sends a window, which includes the product quote, an order option selection element selected by the client to order a specification of the product quote, and an update option selection element selected by the client to update the specification of the product quote after expiration of the valid period, to a sender of the quotation request in such a manner that the order option selection element is enabled as selectable when the product quote is in the valid period and the order option selection element is disabled as unselectable while the update option selection element is enabled as selectable when the valid period of the product quote has expired;
[01285;1158;0595;1189]

- an update quote preparation module that, in response to receipt of an update request of the product quote by selection of the update option selection element in the window after expiration of the valid period, prepares an update quote based on the product information of the specified product; and [0439]
 - an update quote transmission module that sends an updated window including the update quote, in place of the product quote, to the sender of the quotation request.[0048]
6. As regards claims 3 and 13, Elmore discloses an electronic quotation system in accordance with claim 2, said electronic quotation system further comprising:
- a delivery date specification module that specifies a delivery date of the specified product, based on the product information of the specified product,[0265]
 - wherein said product quote preparation module prepares the product quote including the delivery date of the specified product, which is specified by said delivery date specification module, in response to receipt of the quotation request of the specified product, and [0198]
 - said update quote preparation module prepares the update quote including an updated delivery date of the specified product, which is updated by said delivery date specification module, in response to receipt of the update request of the product quote. [0439,0442]
7. As regards claims 4 and 14, Elmore discloses an electronic quotation system in

accordance with claim 2, said electronic quotation system further comprising:

- a stock check module that reads a current status of a stock with respect to the specified product from said product information storage module to check the stock; and [0265]
- a substitute product retrieval module that retrieves one or multiple substitute products, which are substitutable for the specified product, from said product information storage module,[0644]
- wherein said update quote preparation module, when said stock check module determines that there is no stock of the specified product in response to the update request of the product quote, creates a list of the one or multiple substitute products, which are retrieved by said substitute product retrieval module as the substitutable for the specified product, instead of preparing the update quote, and [0439]
- said update quote transmission module sends the window that includes the list of the one or multiple substitute products, instead of the product quote, to the sender of the quotation request. [0048]

8. As regards claims 5 and 15 , Elmore discloses an electronic quotation system in accordance with claim 4, wherein the quotation request of the specified product includes specification of at least one component of the specified product,

- said stock check module reads a current status of a stock with respect to the at least one specified component of the specified product from said product information storage module to check the stock, [0643]
 - said substitute product retrieval module retrieves one or multiple substitute components, which are substitutable for the at least one specified component of the specified product, from said product information storage module, [0644]
 - when said stock check module determines that there is no stock of the at least one specified component of the specified product in response to the update request of the product quote, said update quote preparation module creates a list of the one or multiple substitute components, which are retrieved by said substitute product retrieval module as the substitutable for the at least one specified component of the specified product, instead of preparing the update quote, and [0439]
 - said update quote transmission module sends the window that includes the list of the one or multiple substitute components, instead of the at least one specified component of the specified product, to the sender of the quotation request. [0048]
9. As regards claims 6 and 16, Elmore discloses an electronic quotation system in accordance with claim 2, said electronic quotation system further comprising:
- a stock check module that reads a current status of a stock with respect to the specified product from said product information storage module to check the

stock; and[0048, (6) Interaction Manager 129, which allows customers to track an order or service request from start to finish. Customers can immediately view provisioning steps that have been completed during the flow-through provisioning process. A high-level status is provided to the customer while a detailed status is used by the provider to track potential performance enhancements;]

- a substitute product retrieval module that retrieves one or multiple substitute products, which are substitutable for the specified product, from said product information storage module,[0397]
- wherein said update quote preparation module, when said stock check module determines that there is no stock of the specified product in response to the update request of the product quote, prepares a substitute product quote, based on product information on the one or multiple substitute products, which are retrieved by said substitute product retrieval module as the substitutable for the specified product, instead of preparing the update quote, and [0170] said update quote transmission module sends the window that includes the substitute product quote, instead of the product quote, to the sender of the quotation request.

10. As regards claims 7 and 17 ,Elmore discloses an electronic quotation system in accordance with claim 6, wherein the quotation request of the specified product includes specification of at least one component of the specified product,

- said stock check module reads a current status of a stock with respect to the at least one specified component of the specified product from said product information storage module to check the stock, [0048]
 - said substitute product retrieval module retrieves one or multiple substitute components, which are substitutable for the at least one specified component of the specified product, from said product information storage module,[0397]
 - said update quote preparation module, when said stock check module determines that there is no stock of the at least one specified component of the specified product in response to the update request of the product quote, prepares a substitute product quote, based on product information on the one or multiple substitute components, which are retrieved by said substitute product retrieval module as the substitutable for the at least one specified component of the specified product, instead of preparing the update quote.[0170]
11. As regards claims 8 and 18, Elmore discloses an electronic quotation system in accordance with claim 2, wherein the quotation request of the specified product includes specification of at least one component of the specified product. [0643]
12. As regards claims 9 and 19, Elmore discloses an electronic quotation system in accordance with claim 2, wherein said product quote transmission module sends a specific program, in addition to the window, to the sender of the quotation request, said specific program causing a computer at the sender of the quotation

request to execute a function of enabling the order option selection element as selectable when the product quote is still in the valid period and disabling the order option selection element as unselectable when the valid period of the product quote has expired.[0048;1158;1189]

13. As regards claims 10 and 21, Elmore discloses an electronic quotation system in accordance with claim 2, said electronic quotation system further comprising:
a valid period judgment module that performs judgment of the valid period of the product quote at regular intervals or at irregular intervals, after transmission of the product quote by said product quote transmission module,
wherein said product quote transmission module sends the window including an enabled state of the order option selection element to the sender of the quotation request when a result of the judgment by said valid period judgment module shows that the product quote is still in the valid period, while sending the window including a disabled state of the order option selection element to the sender of the quotation request when a result of the judgment by said valid period judgment module shows that the valid period of the product quote has already expired.[0586-0587]

Response to Arguments

14. Applicant's arguments with respect to claims 2 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN A. ANDERSON whose telephone number is (571)270-3327. The examiner can normally be reached on Monday through Friday 8:00 to 5:00 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John A Anderson/

Examiner, Art Unit 3696

John A Anderson

Examiner

Art Unit 3696

/J. A. A./

Examiner, Art Unit 3696 11/12/2008

/Daniel S Felten/

Primary Examiner, Art Unit 3696

